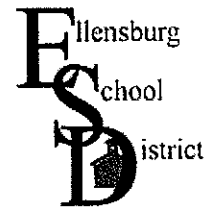


Ellensburg School District #401

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27 August 2008

Mr. Treuman Katz, Chair
Washington State Board of Health
P.O. Box 47990
Olympia, WA 98504-7990

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SEP 05 2008

WA STATE BOARD OF HEALTH

Re: Department of Health Environmental Health and Safety Rule (CR-102)

Your objective to improve health and safety in schools is appreciated. Our Board of Directors has also had occasion to make changes to improve our vigilance on behalf of students and staff. As the Board of Directors, our fiduciary responsibility to citizens of Ellensburg to be diligent, as well, in use of scarce tax resources leads to the following concerns regarding the changes embedded in the Department of Health (DOH) CR-102 Proposed Rule Making:

1. Funding: The DOH has not adequately coordinated with the State Legislature to fully fund the impact of the proposed rules. It appears that the DOH intends to pass the costs of CR-102 down to the school districts without regard for funding the consequential increases in capital costs, operational costs and start-up costs, all of which will be significant.
2. Requiring another State agency to review plans for construction is redundant; current oversight by State and local building departments is adequate.
3. School districts are already required to use professional project managers to oversee major construction projects. The requirement for professional project managers, has given new school construction the quality assurance that was missing in the past. This has addressed the construction and operating issues that negatively affect students' health and safety.
4. As part of their insurance pools, districts have risk management advisors that annually inspect schools for the issues described CR-102.
5. In the challenging economic climate of today's Washington State, we should be looking for ways to decrease State government regulation and its associated cost, not increase it.
6. Instructional programs are likely to suffer if more taxes are necessary to support additional bureaucracy and oversight.

Due to the duplication of effort and the vast expanse of State-mandated but unfunded costs, the Ellensburg School District Board of Directors conclude that the DOH should not proceed with CR-102.

Very truly,

Ellensburg Board of Directors:

Anita Boyum, Board President
Bob Haberman, Vice President
Sandy Elliot, Legislative Liaison
Chuck Wahle, member
Patrick Gigstead, member

c/ Senator Janea Holmquist
Representative Judy Warnick
Representative Bill Hinkle